

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Police Reforms - Directions of the Hon'ble Supreme Court of India dated 22-9-2006 in their judgment in W.P (Civil) 310 of 1996 - Constitution of State Security Commission - Modified orders - Issued.

HOME (Legal.II) DEPARTMENT

G.O.Ms.No. 189

Dated: 8th August, 2013
Read the following:

1. Judgment of the Hon'ble Supreme Court of India, dated 22.09.2006 in WP (Civil) No.310/96 reported in (2006) 8 SCC.
2. G.O.Ms.No.110 Home (Leg.II) Department, dated 04-05-2013.

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ORDER:

1. The Hon'ble Supreme Court of India in their Judgment in Prakash Singh & Ors, first read above, among others, issued a direction to constitute a State Security Commission in every State to ensure that the State Government does not exercise unwarranted influence or pressure on the State Police and for laying down the broad policy guidelines so that the State Police always acts according to the laws of the land and the Constitution of the Country, till framing of appropriate legislation.
2. In pursuance thereof, Government have constituted the State Security Commission vide orders issued in GO 2nd read above. The Hon'ble Supreme Court in its order dated 6-5-2013 observed that the composition of the State Security Commission so constituted and the functions ordered therein, are not confirming to the direction of Hon'ble Supreme Court in Prakash Singh's case.
3. Government after careful examination of the matter and keeping in view the directions/orders of the Hon'ble Supreme Court, and in modification of the orders issued in GO 2nd read above, hereby order that the constitution of the State Security Commission shall be with the following composition.
 1. Home Minister (Ex-officio Chairperson)
 2. Leader of Opposition
 3. Chief Secretary to Government
 4. Director General of Police (Ex-officio Secretary)
 5. Five independent members to be nominated by the Government.
4. The State Security Commission constituted in para 3 above, shall discharge functions that shall include laying down broad policies and giving directions for the performance of the preventive tasks and service oriented functions of the police, evaluation of the performance of the State Police and preparing a report on evaluation of the performance of the police to be placed before the State Legislature.

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5. The Commission shall meet and make recommendations on issues touching upon the functions to be discharged. The recommendations of the Commission are binding on the Government.
6. Orders on the terms and conditions of appointment of independent members and allowance payable to them shall be issued separately.
7. The State Security Commission shall meet at least once in six months and follow such rules with regard to its meeting, quorum and transaction of business as may be decided by the Commission. The above orders shall be in force till framing of appropriate legislation.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

T.P.DAS
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General of Police, A.P., Hyderabad.
The G.A (SC.C) Department.
The Advocate on Record for State of Andhra Pradesh,
A.P.Bhavan, 1-Ashoka Road, New Delhi-110 001.
Copy to:
The Secretary to Government of India,
Department of Personnel & Training, Ministry of Personnel,
Public Grievances & Pensions, North Block, New Delhi.
The Secretary to Government of India,
Ministry of Home Affairs, North Block, New Delhi.
The Principal Secretary to Chief Minister.
The Secretary , Law Department.
The P.S to Chief Secretary/P.S to Principal Secretary, (Political)/
P.A to Joint Secretary (AIS).
SC/SF

// Forwarded by order//

Section Officer